

# EXHIBIT D



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HOME ABOUT US PRACTICE AREAS CASE SUCCESSES CURRENT INVESTIGATIONS IN THE NEWS CONTACT US



## Cutting-Edge Representation:

**\$44 Million in Bitcoins Ordered Returned to Investors**

**\$11 Million Judgment Against Cryptocurrency Exchange**

**A SECURITIES FRAUD AND INVESTMENT LOSS CONTINGENCY-FEE LAW FIRM**

Investment Fraud

Digital Investments  
(Cryptocurrency)

Business Litigation

## FIRM RESUME

Silver Miller is a boutique of litigators and trial lawyers committed to representing aggrieved clients in business disputes including investment fraud and consumer class action cases. We accept each of our cases on a contingency-fee basis; and for any case in which we are not successful in obtaining a recovery, we do not get paid a fee. Through aggressive litigation strategies, critical analyses of the facts and law applicable to each case, and exemplary legal writing, we represent our clients' interests as if they were our own. Anything less is not acceptable to us, nor should it be acceptable to our clients. We can proudly state that our lawyers have had many tremendous successes assisting clients recover funds and property wrongfully taken from them, including judgments and recoveries valued at more than \$100 Million in the past five years alone. For our efforts, our attorneys have received accolades of the highest order in the legal profession. We've been featured in newspapers, and magazines and on television.

## **FOUNDING PARTNERS**

### **David C. Silver, Esq.**

David C. Silver is a founding Partner of Silver Miller and is focused exclusively on representing aggrieved investors and cryptocurrency users worldwide who seek to recover their financial losses.

David is a Martindale Hubbell Preeminent “AV”-rated attorney (generally recognized as the highest rating given in the legal industry for general ethical standards and legal ability), and he tirelessly fights for his clients, having achieved victories totaling greater than \$100 million in the last few years alone. For his efforts, David has been inducted into the Multi-Million Dollar Advocates Forum, an honor limited to attorneys who have won multimillion-dollar verdicts and settlements, which includes fewer than one percent of lawyers in the United States.

On behalf of the Federal Deposit Insurance Corporation (FDIC), David has led multiple investigations into wrongdoing by officers and directors of several closed financial institutions as well as investigations into D&O insurance carriers, fidelity bond carriers, attorneys, accountants/auditors, real estate appraisers, and brokerage professionals as they related to the downfall of certain closed financial institutions.

David is also quickly becoming recognized as one of the leading lawyers in America representing victims of crooked and abusive cryptocurrency exchanges, helping investors who have been exploited after investing in digital assets such as Bitcoin, Ether, and Litecoin. In 2015, David was named lead Class Counsel in the litigation against now-defunct cryptocurrency exchange Cryptsy, where he led the effort in recovering for the Court-certified class of Cryptsy customers settlements and judgments valued in excess of \$40 million. With additional class action lawsuits pending against Coinbase, Kraken, BitConnect and other cryptocurrency exchanges, David is continuing his fight for individuals aggrieved by exploited members of the cryptocurrency community.

Along with being an active litigator in the cryptocurrency community, David is also very active in his own local community, as he serves as Vice-President on the Board of Directors of one of the largest housing communities in South Florida and on the Board of Directors of the Jewish Federation of Broward County as well as the Federation’s National Young Leadership Cabinet.

### **Professional Experience**

David began his legal career at Wicker Smith O’Hara McCoy Graham & Ford, a large Florida-based law firm. In April 2004, David joined the international law firm of Patton Boggs LLP (now Squire Patton Boggs LLP) in Washington, D.C., where his practice as a trial lawyer involved all aspects of civil litigation, including noteworthy pro bono work. In 2010, David left Patton Boggs LLP and returned to Florida. He was a Partner at Blum & Silver, LLP and Silver Law Group until he and Jason Miller founded Silver Miller.

### **Bar Admissions**

Florida, 2002, District of Columbia, 2004, U.S. District Court, Middle District of Florida, 2004, U.S. District Court, Eastern District of Michigan, 2008, U.S. District Court, District of Columbia, 2008 U.S. District Court, Southern District of Florida, 2012 U.S. District Court, District of Colorado,

2012 U.S. District Court, Eastern District of Texas, 2014 U.S. Court of Appeals, Eleventh Circuit, 2017.

## **Education**

David Silver attended the University of Michigan for his undergraduate studies and the University of Miami School of Law for his juris doctorate.

## **Jason S. Miller**

Jason S. Miller is a founding Partner of Silver Miller and concentrates his practice on representing victims of financial fraud and digital currency users who seek to recover their financial losses. Jason — who has received a Martindale Hubbell Preeminent “AV” rating (generally recognized as the highest rating given in the legal industry for general ethical standards and legal ability) — is an accomplished writer and has spent more than two decades putting on paper the words that persuasively, powerfully, and entertainingly advocate his clients’ positions; and his legal prose has helped successfully resolve many cases at an early stage of litigation.

Over his 20+ year legal career, Jason has worked on commercial and financial fraud matters representing aggrieved clients ranging from individuals to large, multinational corporations in many different forums (state court, federal court, trial and appellate levels, arbitrations/mediations, etc.). Jason has also represented several high-profile sports figures, sporting goods manufacturers, and professional athletes in a variety of legal matters during his career. Using creativity, keen analytical skills, and a thorough attention to the details of each case and the needs of each client, Jason has successfully litigated hundreds of commercial disputes to his clients’ satisfaction.

Among the more notable victories Jason has helped garner for his clients are a landmark ruling in Florida concerning Florida’s Deceptive and Unfair Trade Practices Act, large judgments against wayward cryptocurrency exchanges Bitcoin Savings and Trust and Cryptsy, and enforcement of a \$1.4 million judgment against a debtor who sought to evade its debt through a fraudulent transfer. In addition, Jason has served as outside counsel to the Federal Deposit Insurance Corporation (FDIC), conducting multiple investigations into wrongdoing by officers and directors, attorneys, accountants/auditors, and real estate appraisers as they related to the downfall of certain closed financial institutions.

## **Professional Experience**

Upon graduating from law school, Jason worked for The Honorable Robbie M. Barr in Miami, FL. Following his employment with Judge Barr, Jason worked for a series of highly regarded law firms in Miami, focusing his practice at each firm on complex commercial litigation. Early in his career, Jason spent several years working with a team of attorneys representing the Successor Trustee of Southeast Banking Corporation — sister entity to Southeast Bank, N.A., the largest bank in the State of Florida at the time of its demise in 1991 — in liquidating the bank’s assets and administering the claims being prosecuted by the bank’s estate against the bank’s former directors and officers, accountants, and law firms. Ultimately, more than \$470 Million was recovered and distributed to the bank’s creditors, which covered 100 percent of the creditors’ claims plus \$63 Million in post-petition interest. In 2011, Jason became a Partner at Silver Law Group, where he worked until

he and David Silver founded Silver Miller continuing their mission to turn around financial fraud victims' misfortune.

#### **Bar Admissions**

Florida Bar, 1995, United States Court of Appeals, Eleventh Circuit, 1998, U.S. District Court, Southern District of Florida, 1998, U.S. District Court, Northern District of Florida, 1998, U.S. District Court, Middle District of Florida, 2003.

#### **Education**

Jason Miller attended Emory University for his undergraduate studies and the University of Miami School of Law for his juris doctorate.

### **UNIQUE PRACTICE AREA – CRYPTOCURRENCY LITIGATION**

Silver Miller is at the forefront of this cutting-edge field of law, having represented hundreds of cryptocurrency users deceived and abused by cryptocurrency exchange operators in a variety of legal disputes. We have prosecuted individual and class action claims against Bitcoin Savings and Trust, Cryptsy, Coinbase, Kraken, and other leading cryptocurrency exchanges; and for our clients, we have achieved historic results.

Cryptocurrency — such as Bitcoin, Ether, Litecoin, and Ripple — is a digital, virtual form of currency that may be traded on online exchanges for conventional currencies, including the U.S. Dollar, or used to purchase goods and services online. The popularity and acceptance of cryptocurrency has increased dramatically since its introduction about a decade ago; however, because cryptocurrency has no single administrator or central authority or repository, its volatility and lack of external regulation and oversight has left many of its users in perilous situations fraught with fraud and abuse.

When Bitcoin Savings and Trust and its founder/operator, Trendon Shavers, were found to have operated a Ponzi scheme that lured in unsuspecting cryptocurrency users, we prosecuted claims on behalf of some of those victims. Within months of commencing our action, we had secured a judgment against Bitcoin Savings and Trust and Mr. Shavers that exceeded \$11.2 Million.

Likewise, when Cryptsy — the largest U.S.-based cryptocurrency exchange at the time — abruptly shuttered its operations in early-2016 and its founder, Paul Vernon, fled to China with approximately \$8.2 Million in cryptocurrency stolen from Cryptsy customers, we prosecuted claims on behalf of the victimized customers of the exchange. Through our efforts, we were able to secure against Cryptsy, Mr. Vernon, and those that aided and abetted their theft, judgments and settlements exceeding \$10 Million. In addition, we obtained a first-of-its-kind ruling in which a federal judge ordered that 11,325 Bitcoin stolen from Cryptsy users — assets valued as high as \$50 Million — be returned to those users as a matter of law.

Silver Miller is currently prosecuting class action claims against Coinbase and BitConnect— two of the largest cryptocurrency exchanges used by investors in the United States — and are investigating legal claims against

additional exchanges as well to help those cryptocurrency users whose assets and trust have been wrongfully taken from them.

Silver Miller is likewise prosecuting a \$100 Million group arbitration claim against Kraken -- one of the most popular U.S.-based exchanges -- for issues arising from Kraken's platform failures and inadequate security measures.

In addition, Silver Miller has represented, and is currently representing, crypto investors in class action lawsuits against Initial Coin Offering (ICO) promoters Tezos, Monkey Capital, and Giga Watt. In those suits, we represent aggrieved investors who believe they were led astray by misleading or outright false inducements used to secure their cryptocurrency investments. Moreover, we have alleged in each of those suits that the pre-functional tokens offered by the issuers were, by definition, "securities" that had to be -- but were not -- registered with the appropriate securities regulators. Unregistered and fraudulently-offered securities are a serious threat to investors, and we fight tirelessly to protect investors harmed by such dangerous offerings.

#### **REPRESENTATIVE MATTERS – CRYPTOCURRENCY RELATED**

*Liquid Bits v. Bitcoin Savings and Trust and Trendon Shavers*

U.S. Dist. Ct. - Southern District of Florida - Case No. 14-cv-61771

- Obtained \$11,264,457.00 Final Judgment for investors in one of the earliest Bitcoin Ponzi schemes.

*Leidel, et al. v. Project Investors, Inc. d/b/a Cryptsy, et al.*

U.S. Dist. Ct. - Southern District of Florida - Case No. 9:16-cv-80060-KAM

- Successfully represented class of victims against Florida-based cryptocurrency exchange, its founder/CEO, and related parties responsible for theft of over \$8,300,000.00 of stolen Bitcoin.
- Received \$60 Million judgment
- Our attorneys also obtained in this case a historic ruling in which the Court ordered the judgment debtor to return to the victims over 11,300 Bitcoin — presently valued at over \$100 Million.

*Bonow v. Project Investors, Inc. d/b/a Cryptsy and Paul Vernon*

Palm Beach County [FL] Circuit Court - Case No. 2014-CA-012896 Division AG

- Negotiated favorable resolution for client in lawsuit against Florida-based cryptocurrency exchange and its founder/CEO alleging securities fraud, deceptive and unfair trade practices, and theft of personal property.

*Leidel, et al. v. Coinbase, Inc.*

U.S. Dist. Ct. - Southern District of Florida - Case No. 9:16-cv-81992

- Pending litigation against U.S.-based cryptocurrency exchange
- Representing class of victims alleging that the exchange's lack of security protocols facilitated laundering of over \$8,300,000.00 of Bitcoin stolen from class.

*Wildes, et al. v. BitConnect International PLC, et al.*

U.S. Dist. Ct. - Southern District of Florida - Case No. 9-18-cv-80086

- Pending litigation against U.K.-based cryptocurrency exchange with extensive worldwide presence, including United States
- Representing class of victims in \$2.5 Billion Ponzi scheme alleging securities fraud, unregistered sale of securities, conversion, and civil conspiracy between exchange and its army of social media promoters

*[Confidential] v. Payward, Inc. d/b/a Kraken*

JAMS Arbitration - Case No. 1100088894

- Pending litigation against U.S.-based cryptocurrency exchange
- Representing worldwide group of claimants alleging falsely-advertised services, inherently-faulty trading platform, and inadequate security measures cost claimants losses exceeding \$50 Million

*Gaviria, et. al. v. Tezos*

U.S. Dist. Ct. - Middle District of Florida - Case No. 6:17-cv-01959

- Litigation against \$1.2 Billion Initial Coin Offering (ICO) promoter and its principals
- Representing class of victims alleging misleading sale of pre-functional, proprietary cryptocurrency tokens constituted securities fraud, unregistered sale of securities, and conversion of property

*Hodges, et al. v. Monkey Capital, LLC, et al.*

U.S. Dist. Ct. - Southern District of Florida - Case No. 9:17-cv-81370

- Pending litigation against Initial Coin Offering (ICO) promoter and its principal
- Representing class of victims alleging misleading sale of pre-functional, proprietary cryptocurrency tokens constituted securities fraud and unregistered sale of securities

*Stormsmmedia LLC v. Giga Watt*

U.S. Dist. Ct. - Eastern District of Washington - Case No. 2:17-cv-00438

- Negotiated confidential resolution of litigation against U.S.-based Initial Coin Offering (ICO) promoter soliciting investments in cryptocurrency mining farm
- Represented million-dollar investor alleging misleading sale of pre-functional, proprietary cryptocurrency tokens constituted unregistered sale of securities

**REPRESENTATIVE MATTERS --**  
**COMMERCIAL LITIGATION AND INVESTMENT FRAUD**

*TANDI Partners LLC v. CRL Management LLC, et al.*

U.S. Dist. Ct. - Southern District of Florida -- Case No. 1:13-cv-23900-KMM

- Obtained a favorable settlement for a U.S.-based investor on a \$14 Million claim against investment advisory firm and its principals in lawsuit alleging fraud, breach of fiduciary duty, and misrepresentation.

*Bounty Gain Enterprises, Inc. v. John Textor, et al.* (St. Lucie County [FL] Circuit Court - Case No. 56-2014-CA-002037) and *Bounty Gain Enterprises, Inc. v. UBS Financial Services, Inc.* (U.S. Dist. Ct. - Southern District of Florida -- Case No. 9:14-cv-81603-KAM)

- Negotiated favorable resolutions for Hong Kong-based \$5,000,000.00 investor in failed multi-media/special effects company. Claims of securities fraud, gross negligence, and conspiracy to defraud were alleged against company's principals and related professional firms. Claims of professional negligence were separately alleged against brokerage firm and Registered Representative tasked with handling post-investment liquidation of investment.

*Bates v. WorldPMX, Inc.; Investment Quality Diamonds, Inc.; Sean McCabe; AmeriFirst Trading, Inc.; C. Leo Smith; and Worth Group, Inc.*

U.S. Dist. Ct. - Southern District of Florida -- Case No: 13-cv-61138-ZLOCH

- Obtained \$2.5 Million Judgment for husband-and-wife investors defrauded in precious metals scam.

*Burt v. Key Trading LLC, et al.*

U.S. Dist. Ct. - District of New Jersey -- Case No. 2:12-cv-06333-KM-MCA

- Obtained nearly \$2,000,000.00 Final Judgment for two-time Super Bowl winner James ("Jim") Burt against several individuals, and their corporate entity, who had misappropriated former football star's \$1,800,000.00 investment.
- After having obtained the judgment in the full amount of our client's loss, our attorneys secured an injunction freezing assets of one of the defendants in an effort to avoid dissipation of those assets before the Final Judgment could be satisfied.

*Van Leer v. Invictus Asset Management, et al.*

U.S. Dist. Ct. - District of New Jersey -- Case No. 2:15-cv-01878-MCA

- Negotiated favorable resolution for clients in \$2 Million claim against investment advisory firm and its principals alleging breach of contract, fraud, and misrepresentation.

*Smigiel Foundation to Benefit Children and Families, Inc. v. TradeDesk Capital LLC, et al.*

U.S. Dist. Ct. - Southern District of Florida -- Case No. 9:13-cv-81273-WPD/SNOW

- Negotiated favorable resolution for not-for-profit corporation in lawsuit against investment advisory firm and its principals alleging breach of contract, fraud, and misrepresentation.